

SCOTT N. SCHOOLS (South Carolina Bar No. 9990)
 United States Attorney
 JOANN M. SWANSON (California Bar No. 88143)
 Chief, Civil Division
 LETITIA R. KIM (California Bar No. 200142)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-7181
 Facsimile: (415) 436-6748
 Email: letitia.r.kim@usdoj.gov

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

MICHAEL L. OKSNER, *et al.*

Plaintiffs,

v.

MARION C. BLAKEY, *et al.*,

Defendants.

)
)
)
)
)
)
)

Case No. C 07-2273 SBA

**PARTIES' JOINT REQUEST TO DEFER
 FORMAL ADR PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them. Here, the parties agree that referral to a formal ADR process at this time will not be beneficial because Defendants' motion to dismiss is pending and is currently scheduled to be heard on October 2, 2007. The parties request to defer formal ADR process until after the Court has ruled on the pending motion to dismiss. If the motion to dismiss is granted in full, the case will be dismissed and there will be no need for ADR. If the motion is denied, the parties will confer about ADR at that point. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program at this time, and that they be excused from participating in the ADR phone conference and any further formal ADR process until after the

Parties' Joint Request to Defer ADR
 C 07-2273 SBA

1 Court rules on Defendants' motion to dismiss.

2 Dated: August 16, 2007

Respectfully submitted,

3 SCOTT N. SCHOOLS
4 United States Attorney

5 /s/
6 LETITIA R. KIM
7 Assistant United States Attorney
8 Attorneys for Defendants

9 Dated: August 16, 2007

/s/
10 ANTHONY P.X. BOTHWELL
11 Attorney for Plaintiff

12 **ORDER**

13 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the ADR
14 Multi-Option Program and are excused from participating in the ADR phone conference and any
15 further formal ADR process until after the Court rules on Defendants' pending motion to dismiss.

16 **SO ORDERED.**

17
18 Dated: 8/27/07


19 HON. SAUNDRA BROWN ARMSTRONG
20 United States District Judge
21
22
23
24
25
26
27
28